

ORDINANCE NO. 2004 -039

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **MAP SERIES** (TO REVISE FIGURE TE 1.1, 2020 ROADWAY SYSTEM BY NUMBER OF LANES MAP, AND FIGURE TE 14.1, THOROUGHFARE IDENTIFICATION MAP (TIM), TO ACCOMODATE THE PROPOSED SCIENTIFIC COMMUNITY OVERLAY); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearing on June 11, 2004 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on June 28, 2004 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on August 2, 2004 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated August 2, 2004 which was the Department's written review of the proposed Comprehensive Plan amendments; and

1 WHEREAS, the written comments submitted by the Department of
2 Community Affairs contained no objections to the amendments contained
3 in this ordinance;

4 WHEREAS, on October 5 and October 13, 2004, the Palm Beach County
5 Board of County Commissioners held a public hearing to review the
6 written comments submitted by the Department of Community Affairs and
7 to consider adoption of the amendments; and

8 WHEREAS, the Palm Beach County Board of County Commissioners has
9 determined that the amendments comply with all requirements of the
10 Local Government Comprehensive Planning and Land Development
11 Regulations Act.

12 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
13 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

14 Part I. Amendments to the 1989 Comprehensive Plan

15 Amendments to the text of the following Element of the 1989
16 Comprehensive Plan are hereby adopted and attached to this Ordinance
17 in Exhibit 1:

18 A. **Map Series,** To revise Figure TE 1.1, 2020 Roadways System
19 by Number of Lanes Map, and Figure TE 14.1, Thoroughfare
20 Identification Map (TIM), to accommodate the proposed
21 Scientific Community Overlay; and

22 B. Amending all elements as necessary for internal
23 consistency.

24 Part II. Repeal of Laws in Conflict

25 All local laws and ordinances applying to the unincorporated area
26 of Palm Beach County in conflict with any provision of this ordinance
27 are hereby repealed to the extent of such conflict.

28 Part III. Severability

29 If any section, paragraph, sentence, clause, phrase, or word of
30 this Ordinance is for any reason held by the Court to be
31 unconstitutional, inoperative or void, such holding shall not affect
32 the remainder of this Ordinance.

33 Part IV. Inclusion in the 1989 Comprehensive Plan

34 The provision of this Ordinance shall become and be made a part
35 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the

Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be not in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 13th day of OCTOBER, 2004.

ATTEST:

DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,

BY ITS BOARD OF COUNTY COMMISSIONERS

By: [Signature]

Deputy Clerk

[Signature]
Karen T. Marcus, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
COUNTY ATTORNEY

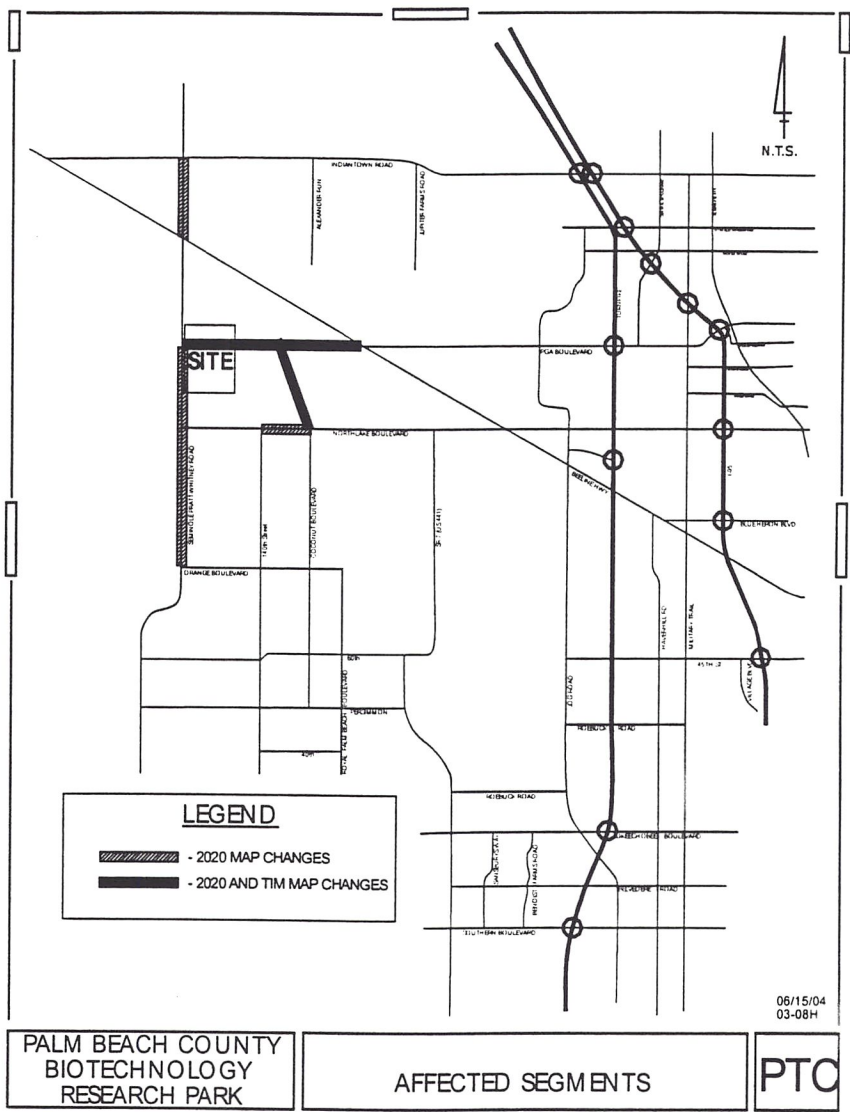
Filed with the Department of State on the 21 day of
October, 2004.

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EXHIBIT 1

A. Thoroughfare Right-of-Way Identification Map (Figure TE 14.1) and 2020 Roadway System Map (Figure TE 1.1), Mecca TIM and 2020 Amendment

REVISIONS: Add the PGA Boulevard segment from Seminole Pratt-Whitney Road to East Mecca Road as 260' ROW on the TIM and as 6 lanes on the 2020 Roadway Map. Add the PGA Boulevard segment from East Mecca Road to the Beeline Highway as 260' ROW on the TIM and as 4 lanes on the 2020 Roadway Map. Add the Coconut Boulevard segment from PGA Boulevard to Northlake Boulevard as 160' ROW on the TIM and as 2 lanes on the 2020 Roadway Map. Change the Northlake Boulevard segment from 140th Avenue to Coconut Boulevard from 4 lanes to 6 lanes on the 2020 Roadway Map. Change the Seminole Pratt-Whitney Road segment from Indiantown Road to Beeline Highway and PGA Boulevard to Orange Boulevard from 4 lanes to 6 lanes on the 2020 Roadway Map.



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on October 13, 2004
DATED at West Palm Beach, FL on 11/2/04
DOROTHY H. WILKEN, Clerk
By: Wane Brown D.C.